

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
FLORENCE DIVISION

UNITED STATES OF AMERICA,

v.

**BHAGAVAN MAHAMAYAVI ANTLE,
ANDREW JON SAWYER, MEREDITH
BYBEE, CHARLES SAMMUT, and JASON
CLAY,**

Defendants.

CR NO. 4:22-CR-580-JD

**UNITED STATES OF
AMERICA'S MOTION TO
DISMISS CHARGES AGAINST
DEFENDANT
CHARLES SAMMUT**

The United States of America hereby moves the Court, pursuant to Federal Rule of Criminal Procedure 48(a), to dismiss Counts One and Two of the Indictment in the above-entitled matter, without prejudice, as to Defendant Charles Sammut.

On June 29, 2022, a grand jury for the District of South Carolina returned an Indictment which included two counts charging Defendant Sammut without the following crimes:

Count One: On or about June 24, 2018, in the District of South Carolina and elsewhere, Defendant Sammut did knowingly engage in conduct involving the sale and purchase of, offer of sale and purchase of, and intent to sell and purchase wildlife, that is, two red ruffed lemurs (*Varecia rubra*), with a market value in excess of \$350, and did knowingly transport, sell, purchase, receive, and acquire said wildlife, knowing that the wildlife had been transported and sold in violation of federal law, specifically the Endangered Species Act, all in violation of Title 16, United States Code, Sections 3372(a)(1) and 3373(d)(1)(B), and Title 18, United States Code, Section 2; and

Count Two: On or about June 24, 2018, Defendant Sammut and did knowingly deliver, receive, carry, transport, and ship an endangered species of wildlife, that is, two red ruffed

lemurs (*Varecia rubra*), in interstate commerce, in the course of a commercial activity in violation of federal law, all in violation of Title 16, United States Code, Sections 1538(a)(1)(E), (F) and 1540(b)(1), and Title 18, United States Code, Section 2.

The United States has determined, pursuant to the *Principles of Federal Prosecution* and based on a review and consideration of the evidence and circumstances, that continued prosecution of Charles Sammut would not serve the interests of justice. Therefore, the United States requests that the Court dismiss the charges contained in Counts One and Two of the Indictment as pertaining to Charles Sammut.

RESPECTFULLY SUBMITTED,

ADAIR F. BOROUGHS
UNITED STATES ATTORNEY

BY: /s/
Amy F. Bower
Assistant U.S. Attorney
District of South Carolina
151 Meeting Street, Suite 200
Charleston, South Carolina 29401
ABower@usa.doj.gov

/s/
Patrick Duggan
Senior Trial Attorney
Environmental Crimes Section
U.S. Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530-0001
Patrick.duggan@usdoj.gov

Charleston, South Carolina
February 17, 2023